

Appl. No. : 10/674,553  
Filed : September 30, 2003

### REMARKS

Applicants wish to thank the Examiner for his careful and thorough review of the present application. By way of summary, Claims 1-36, 38-64, and 66-119 were pending, Claims 13, 19-21, 25-27, 34-36, 44, 63, 72-76, 104, and 112 having been withdrawn. Claims 1-5, 38-50, 55, and 85-91 have been allowed, and Claim 62 has been indicated to be allowable if amended into independent form. With the present amendment Claims 6-36, 51-54, 62, 72-84, and 92-119 are canceled, Claim 56 is amended to incorporate the limitations of Claim 62, and Claim 63 is requested to be reinstated. Therefore, Claims 1-5, 38-50, 55-61, 63, 64, 66-71, and 85-91 remain pending for consideration and should be in condition for allowance.

#### Election/Restrictions

The Office Action indicates that Claim 63 has been added to the list of withdrawn claims, "as it calls for the device to be in the shape of a disc." In view of the amendment to Claim 56 as discussed below to incorporate the limitations of allowable Claim 62, Applicants respectfully request that Claim 63, which is dependent on Claim 56, be reinstated. Applicants also disagree with the Examiner and respectfully note that parts of the embodiment illustrated in Figure 6 could be described as disc shaped and therefore would be read upon by Claim 63.

With respect to the Examiner's other comments regarding the balloon and the rotatable coupling, Applicants do not necessarily agree with the Examiner's position and reserve the right to argue this position at a later date.

#### Claim Rejections Under 35 U.S.C. § 102

Claims 6-12, 14-18, 30-33, 51, 52, 54, 56-61, 64, 92-103, 105-111, and 113-119 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 5,865,791 to Whayne, et al. Applicants respectfully traverse the rejection. However, to expedite prosecution, Applicants have canceled Claims 6-12, 14-18, 30-33, 51, 52, 92-103, 105-111, and 113-119; therefore, the rejection as to these claims is moot. Applicants reserve the right to pursue the canceled claims at a later date.

In addition, the Office Action indicated that Claim 62 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all

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of the limitations of the base claim and any intervening claims. Claim 62 depends from Claim 56; therefore, Claim 56 has been amended to include all the limitations of Claim 62 and Claim 62 has been canceled. Claims 57-61 and 64 depend from Claim 56 and are therefore allowable as well. Claims 57-61 and 64 are also allowable for the unique combination of features recited therein.

#### **Claim Rejections Under 35 U.S.C. § 103**

Claims 22-24, 28, 29, 53, 66-71, and 77-84 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Whayne, et al. Applicants respectfully traverse the rejection. However, to expedite prosecution, Applicants have canceled Claims 22-24, 28, 29, 53, and 77-84; therefore, the rejection as to these claims is moot. Applicants reserve the right to pursue the canceled claims at a later date.

In addition, Claims 66-71 depend from amended Claim 56 and are therefore allowable for at least the reasons stated above. Claims 66-71 are also allowable for the unique combination of features recited therein.

#### **Allowable Subject Matter**

Applicants wish to thank the Examiner for the indication of allowable subject matter in Claims 1-5, 38-50, 55, and 85-91. Applicants further wish to thank the Examiner for the indication of allowable subject matter in Claim 62 if rewritten into independent form, as discussed above.

#### **Information Disclosure Statements**

Applicants wish to call the Examiner's attention to the Information Disclosure Statements filed on July 17, 2006 and August 3, 2006, and to respectfully request that indication of receipt and review of these Information Disclosure Statements is provided with the next Office Communication.

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Conclusion


In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance and such action is respectfully requested. If any issues remain or require further clarification the Examiner is respectfully requested to call Applicants' counsel at the number indicated below in order to resolve such issues promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 30, 2006

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